REMARKS

CLAIM AMENDMENTS

Claims 18, 19, 21, 27, 29, 31, 37and 47 have been amended. These amendments are made for the purpose of clarifying the claims, and not for reasons related to patentability. These amendments do not add new matter to the application.

35 USC §102(b) REJECTION

The Office Action has rejected claims 1-10, 14-33, 35-41, 46-50, 52 and 59-68 under 35 USC §102(a) as being anticipated by U.S. Patent No. 5,905,492 (hereinafter Straub). Applicants respectfully traverse these rejections. Applicants respectfully request that the Examiner consider the subject application and the referenced prior art in view of the following remarks. In the following, applicants provide an overview of Straub and their invention and then discuss their differences.

OVERVIEW OF STRAUB AND APPLICANTS' INVENTION

Straub is generally directed towards a method for updating themes for an operating system, e.g., by periodically retrieving updating resources from a remote computer at which the updating resources are stored by a theme provider, so as to provide continually updating enhancements to the graphical user interface display consistent with the theme's topic. Straub describes a GUI

having customized multi-media themes that are downloaded from network

coupled servers. The downloaded themes include HTML statements that are

rendered into themed desk-tops.

In particular, Straub describes a computer 20 having a GUI (Col. 6, lines

17-19) that downloads theme resources from a server 70, to update theme

resources 64 (Col. 7, lines 22-24) already downloaded from a server. The theme

resources generate displays of themed GUIs 60 (Col. 7, lines 24 - 31), such as a

background wallpaper theme and a hypertext page display theme (Col. 7, lines

32-36).

A theme switcher 82 provides an interface for downloading the themes

from a server (Col. 7, lines 42-60). The user selects a theme (Col. 7, line 66).

Each theme is stored in theme folders 88 (Col. 8, lines 6-7) that reference theme

content stored on servers (Col. 8, line 24). The theme content is downloaded

according to a schedule, or downloaded as a background task (Col. 10, lines 2-

13).

The themed displays 60 are described in the remainder of Straub.

Themed resources are generated as hypertext pages (Col. 10, lines 19-25). The

themes add through hypertext templates themed multi-media enhancements to

the GUI displays 60 specified in HTML. Themes that may be portrayed on the

computer 20 are portrayed in FIGS. 4-7, and described in columns 11-15.

With reference to FIGS. 4-5, a themed display can be divided into

separate panes, such as an icon pane 102, an information pane 104, and a ticker

pane 106 (Col. 11, lines 59-62). The information pane and the ticker pane are

themes that are driven by a theme server (Col. 12, lines 17-31; Col. 13, lines 11-29). The icon pane comprises conventional GUI icons for launching programs and for accessing system services (Col. 12, lines 4-16). The icon pane is implemented by embedding HTML tags in a template, or implemented separately from the hypertext theme panes 104 and 106 (Col. 12, lines 10-16).

A different hypertext page or template can be associated with each theme folder (Col. 13, lines 64-67, Col. 14, lines 1-2). An illustrated folder view display 140 contains an icon pane 144, and a hypertext page pane 146 (Col. 14, lines 3-4). The hypertext page pane 146 displays a hypertext page specified in a hypertext template that is downloaded from a server, from which the respective folder view display 140 is generated. Themed enhancements are added to the hypertext page (Col. 14, lines 3-33) as icons for user selection.

A theme alternatively supplies a set of hypertext pages that are viewed in a hypertext page content area pane 190 of a folder view display 180, to provide hyperlinks to theme aspects (FIG. 7; Col. 14, lines 34-37) selected by conventional icon selection methods. FIGS. 6 and 7 show theme-provided folder view displays 160 (FIG. 6) 180 (FIG. 7) having hyperlinks 162-165 and 182-185 for navigating between GUI displays 60 (FIG. 3). The hyperlinks are specified in the hypertext templates from a server for the theme. (col. 14 line 62 - 66).

The folder view displays 160,180 are shown with a representative set of hyperlinks that could be embedded on a hypertext page provided by a theme from a server 70 to opens a themes home page (Col. 15, lines 14-21). The hyperlinks on the folder view displays 160,180 include a "basics" hyperlink for a

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"basics" theme, an "internet" hyperlink for an "internet" theme, and a "library" hyperlink for a "library" theme, that jump to themed displays (Col. 15, lines 14-27), these hyperlinks being represented by conventionally selected icons.

The present invention is generally and non-exclusively directed towards a shell user interface that provides for an aggregation of local and web information on a personal computer. The shell user interface includes multiple pages that are interconnected through hyperlinks. The pages are arranged in a hierarchical manner and form a single unified manner for accessing programs, documents, system information, and devices regardless of source location (whether local or remote). The shell user interface provides one place from which a user may access resources, without opening separate programs and menus to locate the resources.

This shell user interface simplifies locating resources. For example, rather than clicking on file exploring software, such as Microsoft® Internet Explorer, to locate local files and Internet content, along with a system toolbar to access system resources and external devices, a user can use the shell user interface of the present invention to locate the files, content and resources. Note that the above overview of applicants' invention is for informational purposes only, and should not be used to interpret the claims.

Applicants' claims are generally, illustratively, and not exclusively directed at a hierarchical page structure GUI. Pages in the structure are determined by links from displayed representations of computing system resources. The links are determined by computing system maintained information about the

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resources. In contrast, the Straub-described theme hyperlinks are instead

predetermined by hypertext tags that are downloaded from a server. The Straub-

described theme hyperlinks are not determined by computer system-maintained

information about computing system resources, nor are they described such that

a hierarchical page structure is determined by the links, as generally and

illustratively, but not exclusively recited in Applicants' claims.

Claims 1-17, 53-55, 57-58, and 69-71

Claims 1-17, 53-55, 57-58, and 69-71 have been canceled without

prejudice for purposes of expediting prosecution. The cancellation of these

claims should not be taken as an admission that these claims are anticipated by

the prior art.

Claims 18-20

Amended claim 18 recites a method that includes:

> maintaining information about a resource persistently stored
> in the computer system that includes at least one of a document, a
> program, a task stored in the computer system, and a device of the
> computer system;
> displaying a first page comprising:
> a first link associated with a second page; and
> a second link associated with a first resource according to
> the information;
> in response to a signal indicative of a selection of the first
> link via the user interface, displaying the second page; and
> in response to a signal indicative of a selection of the second
> link via the user interface, taking action with respect to the first
> resource, wherein the first and the second page are part of a shell
> user interface having a plurality of pages arranged in a hierarchy to
> display information about the resource, and wherein each page of
> the plurality of pages that is lower in the hierarchy is reachable

through at least one other page of the plurality of pages that is
higher in the hierarchy through at least one link on the other page."

In order to support an anticipation rejection under §102, a single prior art
reference must disclose each and every element recited in the claims.

Applicants respectfully submit that Straub does not disclose each and every
element in claim 18.

The Office Action contends that Straub teaches "maintaining information
about executable code" (Col. 12, lines 10-16). Applicants respectfully submit that
Straub does not disclose such subject matter. Applicants have amended claim
18 to recite:

> maintaining information about a resource persistently stored in the
> computer system, the resource including at least one of a
> document, a program, a task stored in the computer system, and a
> device of the computer system, ... the second link associated with a
> first resource according to the information."

The information may include data such as categories (activity centers),
capabilities (tasks), and file associations written into a database, for example, as
illustratively described on specification pages 6 and 24.

Applicants respectfully submit that Straub neither discloses maintaining
information about a resource, nor a second link associated with a first resource
according to the information, as recited in claim 18. The cited section of Straub
instead describes an aspect of the icon pane as described above. The icon pane
comprises conventional GUI icons to launch programs and to access system
services, which is implemented by embedding HTML tags in a template or
separately from the template. The icon pane has specific functionality (such as

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mouseover) implemented by a software component implemented by an HTML

tag in a template, or separately from the template (Col. 12, lines 3-16). Therefore,

Straub does not disclose the subject matter recited in claim 18, including

maintaining information about a resource, and associating a link with a resource

according to the information.

The Office Action contends that Straub teaches a second link associated

with first executable code according to the information (Col. 12, lines 1-16).

Applicants respectfully submit that Straub does not disclose this second link.

Applicants have amended claim 18 to recite a second link associated with a first

resource according to maintained information about the resource. As described

above, the cited portion of Straub is directed towards selecting a screen icon to

activate an application, where the icon is either generated conventionally, or is

rendered by an HTML template and conventionally hyperlinked by an HTML tag

in the template. Straub does not describe a second link associated with a first

resource according to maintained information about the resource as recited in

claim 18.

The Office Action further contends that Straub teaches:

in response to a signal indicative of a selection of the second link
via the user interface, taking action with respect to the first
executable code, wherein the first and second page are part of a
shell user interface having a plurality of pages arranged in a
hierarchy, and where each page of the plurality of pages that is
lower in the hierarchy is reachable through at least one other page
of the plurality of pages that is higher in the hierarchy through at
least one link on the other page. (FIG. 6 and Col. 15 lines 7-45).

Applicants respectfully submit that Straub does not disclose these

limitations. Claim 18 has been amended to recite:

> in response to a signal indicative of a selection of the second link
> via the user interface, taking action with respect to the first
> executable code, wherein the first and second page are part of a
> shell user interface having a plurality of pages arranged in a
> hierarchy to display information about the resource, and ... on the
> other page.

As discussed above, the cited section of Straub is directed towards

selecting an icon representing server supplied themed material, and displaying

this themed material according to the icon selected. The icons are a "home"

icon, a "basics" icon, an "internet" icon, and a "library" icon. The GUI is rendered

from a server supplied HTML template, and the icons are hyperlinked to tags in

the HTML page. In Straub, the icons are for themed material from a server, and

are not a program, a task stored in the computer system, or a device of the

computer system as recited in claim 18. Moreover, Straub describes pages

pertaining to themes available from a server, while amended claim 18 recites that

the pages in the hierarchy instead pertain to the resource, e.g., a document, a

program, a task stored in the computer system, or a device of the computer

system.

Straub does not disclose each and every element of claim 18. Applicants

submit that Straub therefore does not anticipate claim 18. Because claims 19-20

are dependent on claim 18, Straub does not anticipate claims 19-20. Moreover,

Straub does not anticipate claims 19-20 because of the additional elements that

claims 19-20 contain. For instance, the Office Action contends as a reason to

reject claim 19, that claim 19 is rejected for the same reasons as canceled claim

15. However, claim 19 recites elements that are not recited in claim 15.

Applicants respectfully request that the rejection of each of claims 18-20

be withdrawn, and that claims 18-20 each be allowed.

Claims 21-26

Amended claim 21 recites a method that includes:

> displaying a link associated with a task that is available in an
> application program on a first page, and in response to a signal
> indicative of a selection of the link via the user interface, taking
> action with respect to the task.

The Office Action contends that Straub (Col. 12, lines 1-16) teaches each

of the recited elements. However, Straub does not disclose linking a task, but

instead describes hyperlinking an icon to a theme which is to be displayed that is

located on a remote server. This is significantly different, and Straub does not

therefore disclose each and every element of claim 21. Applicants therefore

submit that Straub therefore does not anticipate claim 21.

Because claims 22-26 are dependent on amended claim 21, Straub does

not anticipate claims 22-26. Moreover, Straub does not anticipate claims 22-26

because of the additional elements that claims 22-26 contain. The Office Action

contends that claims 22-26 are rejected for the same reasons as canceled claims

14 and 25. However, claims 22-26 recite elements not recited in the canceled

claims 14 and 25.

Applicants respectfully request that the rejection of each of claims 21-26

be withdrawn, and each of claims 21-26 be allowed.

Claims 27 and 28

Amended claim 27 recites a method that includes:

> maintaining information about tasks that are available for a plurality of application programs persistently stored in the computer system; grouping a set of the tasks according to the information; displaying links to each of the tasks in the set on a first page, each of the links being associated with a particular task in the set; and in response to a signal indicative of a selection of one of the links via the user interface, taking action with respect to the task associated with the link.

Applicants respectfully submit that Straub does not disclose each and every element recited in claim 27. The Office Action contends that claim 27 is rejected for the same reasons as canceled claim 14, and also that Straub teaches grouping a set of tasks (FIG. 6). However, each of the elements recited in claim 27 are not recited in canceled claim 14 (and its parent claim 1). Furthermore, Straub does not disclose tasks that are available for a plurality of application programs persistently stored in the computer system, as recited in amended claim 27. Instead, Straub discloses a link from a non-task theme icon to a remote server.

Straub does not disclose each and every element of claim 27. Applicants submit that therefore Straub does not anticipate claim 27. Because claim 28 is dependent on claim 27, Straub does not anticipate claim 28. Moreover, Straub does not anticipate claim 28 because of the additional elements claim 28 contains.

Applicants respectfully request that the rejection of claims 27 and 28 be withdrawn, and each of claims 27 and 28 be allowed

Claims 29-33, 35-41 and 46

Amended claim 29 recites a method that includes:

> (1) providing a shell user interface having a plurality of pages including a first page, wherein the plurality of pages are arranged in a hierarchy, and wherein each page of the plurality of pages that is lower in the hierarchy is reachable through at least one other page of the plurality of pages that is higher in the hierarchy through at least one hyperlink on the other page; (2) maintaining information about locally-stored files; (3) displaying on the first page, according to the information about the locally-stored files, a file link for each of the locally-stored files; (4) in response to a signal indicative of a selection of one of the file links via the user interface, taking action with respect to the locally-stored file associated with the file link.

The Office Action contends that Straub teaches the recited subject matter, identified above as (1), at Col. 12, lines 1-35, and FIGS. 5 and 6. As noted previously, Straub describes an icon pane comprising conventional GUI icons to launch programs and access system services. The information pane has a content area to display information from the theme server, generally consisting of rendered hypertext pages (Col. 12, lines 17-31). Straub does not disclose, as recited in claim 29, a shell user interface having multiple pages arranged in a hierarchy, but instead describes icons having hyperlinks to remote content displayed upon selection. The multiple pages referred to by Straub are instead hypertext pages that portray server supplied data.

The Office Action contends that Straub teaches the recited subject matter, identified above as (2), at Col. 15, lines 34-42. The information about locally-stored files in Applicants' invention includes data such as categories (activity centers), capabilities (tasks), and file associations written into the database and illustratively described on specification pages 6 and 24. Straub does not disclose

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maintaining information about locally-stored files but instead describes

conventionally selecting icons for displaying a linked window, the link displayed

independently of information that may be stored about a locally stored file.

The Office Action contends that Straub teaches the recited subject matter,

identified above as (3), at FIG. 7 hypertext pane 190. Applicants respectfully

submit that FIG. 7 in Straub portrays a folder display with themed enhancements,

the folders being collections of hyperlinks to themes stored on a server (Col. 8,

lines 31-33). The pane described in Straub includes hyperlinks to theme content

on a server (Col. 15, lines 5-7, 14-27). Applicants respectfully submit that Straub

does not disclose displaying a file link for each of the locally stored files on the

first page, according to the information about the locally stored files, as recited in

claim 29. In contrast, Straub portrays a folder display of hyperlinks to themes

stored on a remote server and does not disclose files that are locally stored as

recited in claim 29.

The Office Action contends that Straub teaches the recited subject matter,

identified above as (4), at Col. 15, lines 39-43. However, as already discussed,

Straub does not disclose taking action with respect to a locally stored file as

recited in claim 29. Straub instead describes displaying hyperlinks of a specific

theme folder upon user selection of an icon, the actual contents stored on a

remote server.

Straub does not disclose each and every element of claim 29. Applicants

submit that Straub therefore does not anticipate claim 29. Because claims 30-

33, 35-41 and 46 are dependent on claim 29, Straub does not anticipate claims

30-41 and 46. Moreover, Straub does not anticipate claims 30-33, 35-41 and 46 because of the additional elements that claims 30-33, 35-41 and 46 contain. For instance, claim 37 recites elements that are not the same as in canceled claim 14, although the Office Action contends that claim 37 is rejected under the same rationale as claim 14, and Applicants nowhere find these additional elements of claim 37 disclosed in Straub. Claims 37 and 39 recite task links, and the cited portion of Straub does not disclose task links, but instead describes non-task theme hyperlinks. Moreover, dependent claim 39 is allowable by virtue of its dependency on base claim 37, as well as for the additional elements it contains. Dependent claims 40 and 41 are allowable by virtue of their dependency on base claim 37, as well as for the additional elements they contain.

Applicants respectfully submit that the rejection of each of the claims 30-41 and 46 be withdrawn, and that claims 30-33, 35-41, and 46 each be allowed.

Claims 47-52

Claim 47 recites a task link associated with at least one executable code according to maintained information about the executable code. The Office Action contends that maintaining information about executable code is taught at Straub, Col. 5, lines 43-46. However, the cited portion of Straub instead describes a conventional application program performing an operation using computer resources available through an operating system. The Office action contends that it is inherent to maintain information about executable code for an operating system to know which program to run. However, Applicants respectfully point out that the information recited in claim 47 is not directed

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towards what the Office Action contends, but is instead directed towards

associating a task link with the executable code persistently stored in the

computer system according to the information (such as category, capability, and

file association data). Therefore, Straub does not disclose at least this element

recited in claim 47.

Claim 47 moreover recites maintaining information about files, such that a

file link is associated with a particular item of information about a file. The Office

Action contends that maintaining information about files is taught at Straub, Col.

1, lines 54-57. This section of Straub instead describes a desktop

conventionally acting as a launching point for running application programs,

opening documents or files, and initiating operating system services. Straub

does not disclose maintaining information about files as recited by Applicants.

Therefore, Straub does not disclose at least one other element recited in claim

47.

> Moreover, claim 47 recites
>
> displaying on a first page, a tile having a task link and at least one
> file link, the file link being associated with a particular item of
> information about a file, and the task link being associated with at
> least one executable code according to the information about
> executable codes.

The Office Action contends that these elements are taught at Straub, Col. 12,

lines 4-5, and FIG. 5. The cited portion of Straub instead pertains to a

conventional GUI, a desktop including icons and shortcuts to launch programs

and access services. The cited section of Straub does not disclose using

information to associate the task link with executable code, associating the task

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link according to the information about executable code, and associating the file

link with a particular piece of information about a file, as essentially recited in

claim 47. Therefore, Straub does not disclose these elements recited in claim

47.

Straub does not disclose each and every element of claim 47. Applicants

submit that Straub therefore does not anticipate claim 47. Because claims 48-52

are dependent on claim 47, Straub does not anticipate claims 48-52. Moreover,

Straub does not anticipate claims 48-52 because of the additional elements that

claims 48-52 contain.

Applicants respectfully request that the rejection of each of claims 47-52

be withdrawn and that claims 47-52 each be allowed.

Claims 59-67

Claim 59 recites a method that includes:

> maintaining information about executable code; providing a
> shell user interface having a plurality of pages; displaying on a
> particular page in the shell user interface a link associated with an
> executable code according to the information; and taking action
> with respect to the executable code in response to a received
> signal that is indicative of a selection of the link via the user
> interface, in response associating information about the particular
> page with the file.

The Office Action contends that Straub teaches maintaining information

about executable code and providing a shell user interface having a plurality of

pages at Col. 5, lines 43-46. However, the cited portion of Straub instead

describes an application program conventionally performing a task using

resources made available through the operating system. Applicants respectfully

point out that when read in the full context of the claim language, the recited

"information" is directed towards displaying, on a particular page in the shell user

interface, a link associated with the executable code according to the information.

The information includes category, capability, and file data, for example, as

illustratively described on specification pages 6 and 24. Applicants respectfully

submit that Straub does not disclose such elements.

The Office Action contends that Straub teaches, at Col. 12, lines 4-5, the

concept of displaying on a particular page in the shell user interface a link

associated with an executable code according to the information. Instead,

however, the cited section of Straub pertains to a conventional GUI, a desktop

including icons and shortcuts for launching programs and accessing services.

Straub does not disclose a link associated with an executable code according to

the information as recited in amended claim 27. Applicants respectfully submit

that Straub does not describe these elements.

The Office Action contends that Straub also teaches, at Col. 1, lines 63-

64, taking action with respect to the executable code in response to a received

signal that is indicative of a selection of the link via the user interface, in

response associating information about the particular page with the file. The

cited portion of Straub instead describes icons being conventionally activated to

launch application programs that act as an equivalent of an actual resource.

Nowhere in Straub is there a description of taking action indicative of a link such

that in response there is an associating of information about a particular page

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with a file. Applicants respectfully submit that Straub does not disclose these elements of claim 59.

Straub does not disclose each and every element of claim 59 and, therefore, does not anticipate claim 59. Because claims 60-67 are dependent on claim 59, Straub does not anticipate claims 60-67. Moreover, Straub does not anticipate claims 60-67 because of the additional elements that claims 60-67 contain. For instance, claim 63 additionally recites that taking action comprises using the document as a target. The Office Action contends that this is taught at Straub, Col. 1, lines 63-64. The cited section of Straub instead describes icons conventionally used to launch programs, not using a document as a target selected upon receiving a signal indicative of a selection of a link (parent claim 59). Claim 64 additionally recites that associating information comprises associating metadata with the document, the information being data such as illustratively categories, capabilities, and files as described on specification pages 6 and 24. The Office Action contends that this is taught at Straub Col. 1, lines 63-64. Straub instead describes icons being conventionally activated to launch application programs that act as an equivalent of the actual resource, and not associated information comprising metadata with the document. Claim 65 additionally includes recites displaying a link associated with the file according to the information about the particular page. The information as recited in claim 65 is not described by Straub.

Applicants respectfully request that the rejection of each of claims 59-67 be withdrawn, and claims 59-67 each be allowed.

Claim 68

Claim 68 recites a method that includes:

maintaining information about associations between files and executable code; maintaining information about associations between pages of the shell user interface and executable code; and displaying on a particular page in the shell user interface, a link associated with a file according to the file association information and the information about association between pages of the shell user interface and the executable code.

Applicants respectfully submit that claim 68 includes elements that are not described in Straub. The Office Action contends that Straub teaches maintaining information about associations between files and executable code at Col. 12, lines 1-16. As described previously, the cited section of Straub instead describes selecting a screen icon to activate an application. Straub does not describe maintaining information about associations between files and executable code as recited in claim 68, the information including data, such as categories, capabilities, and file associations, as illustratively described in the specification at pages 6 and 24, for example.

The Office Action contends that this same section of Straub teaches maintaining information about associations between pages of the shell user interface and executable code as recited in claim 68. Straub does not describe this element of claim 68, the information including data, for example categories, capabilities, and file associations as described in the specification at pages 6 and 24.

The Office Action contends that Straub teaches the displaying on a particular page a link associated with a file according to the file association

information and the information about association between pages of the shell

user interface and the executable code at Col. 15, lines 8-34. The cited portion

of Straub instead describes that folder view displays can be rendered from a

hypertext page that includes tag links to theme data stored on a server. Straub is

thus hyperlinking to a display according to a hypertext tag, and not (as generally

recited in claim 68) according to maintained information about fields and

executable code. The pages in Straub are not arranged in a hierarchy controlled

by the associations between the maintained information, but instead according to

fixed tags downloaded from a server, to point to server information.

Straub does not disclose each and every element of claim 68. Applicants

respectfully submit that Straub therefore does not anticipate claim 68. Applicants

respectfully request that the rejection of claim 68 be withdrawn, and claim 68 be

allowed.

35 USC §103(a) REJECTION

The Office Action has rejected claims 11-13 under §103(a) as

unpatentable over Straub in view of U.S. Patent No. 6,222,638 (hereinafter

Otala). The Office Action has also rejected claim 34 under §103(a) as

unpatentable over Straub. The Office Action has rejected claims 42-45 under

§103(a) as unpatentable over Straub in view of U.S. Patent No, 5,745,112

(hereinafter Hirose). The Office Action has rejected claims 56 under §103(a) as

unpatentable over U.S. Patent No. 6,061,695 (hereinafter Slivka) in view of U.S.

Patent No. 5,877,765 (hereinafter Dickman). Applicants respectfully traverse

these rejections.

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Claims 11-13

Claims 11-13 have been cancelled without prejudice. Applicants make no admission that these claims are not patentable over the prior art.

Claims 34

Applicants respectfully submit that claim 34 is patentable over Straub. In addition to containing the patentable elements of parent claim 29 discussed above, dependent claims 34 is also separately patentable over Straub for its recited elements.

Furthermore, claim 34 is allowable by virtue of the additional elements it contains. The Office Action contends that taking action with respect to the locally-stored file associated with the file link comprises displaying an instance of the executable code is taught in Straub. However, the recited file link is dependant upon the maintained information about the locally stored file (from parent claim 29), the information including data such as categories, capabilities, and task associations, illustratively described on specification pages 6 and 24. Straub nowhere describes displaying an instance of the executable code for a locally stored file associated with a file link dependent upon maintained information. Straub in fact does not maintain information about files or locally stored theme files, but instead downloads files from a server.

Straub does not disclose each and every element of claim 34. Applicants respectfully submit that claim 34 is patentable under §103(a). Applicants respectfully request that the §103(a) rejection of claim 34 be withdrawn and claim 34 be allowed.

<u>Claims 42-45</u>

Applicants respectfully submit that claims 42-45 are patentable over

Straub in view of Hirose for at least two reasons, any one being sufficient to

render the claims patentable. First, Straub and Hirose, together or alone, do not

describe all the elements recited by Applicants. And second, there is no

suggestion, motivation, or teaching in Straub or Hirose to combine the teachings

of Straub with Hirose.

First, Straub and Hirose, together or alone, do not disclose or suggest all

the elements recited by Applicants. In addition to containing the patentable

elements of parent claim 29 discussed above, dependent claims 42-45 are also

separately patentable over Straub in view of Hirose for its recited elements.

For instance, claim 42 recites maintaining information about a task that is

available from an application program, and displaying, according to the

information about the task, a task link on the first page, the task link being

associated with the task. The information includes data such as categories,

capabilities, and task associations; illustratively described on specification pages

6 and 24. The Office Action contends that Straub teaches these elements at Col.

5, lines 43-44, and Col. 12, line 5. Straub instead describes instead that an

application program is conventionally a set of software that performs a task using

resources made available through an operating system, and that icons and

shortcuts 112 are conventionally for launching programs and accessing system

services. Claim 42 moreover recites taking action with respect to the task on the

file associated with the file link, in response to a signal indicative of selection of

the task link and a file link via the user interface (displayed according to the information about the task). The Office Action contends that Hirose these elements at Col. 6, lines 40-65. Hirose instead describes two windows, a tool window and a concurrently displayed text window. The tool window has icons representing different tools that can process a text file. Upon dragging a specific text file in the text window, icons in the tool window that cannot process the dragged text file are caused to disappear from the tool window. In addition to containing the patentable elements of parent claim 42 discussed above, dependent claims 43-45 are also separately patentable for their recited elements.

Moreover, a prima facie case of obviousness requires that there be a teaching, a suggestion, or a motivation to combine the cited references. Applicants respectfully submit that there is no teaching, suggestion, or motivation described in Straub or Hirose to combine Straub with Hirose. In fact, the only motivation for combining these disparate references is applicants' own teachings, which is impermissible hindsight.

Straub is directed at a method of updating and displaying themed information from a server. Straub describes a GUI having customized multi-media themes downloaded from network coupled servers. The downloaded themes include HTML statements that are rendered into themed desk-tops. The theme resources generate displays of themed GUIs.

A theme switcher provides an interface for downloading the themes from a server each theme being stored in theme folders referencing theme content stored on the server. The theme content is downloaded according to a schedule,

or as a background task. The themed displays described in Straub are

generated as hypertext pages. Through hypertext templates, the themes add

themed multi-media enhancements to the GUI displays specified in HTML. In

some embodiments, a different hypertext page or template can be associated

with each theme folder. Folder view displays are shown with a representative set

of hyperlinks that could be embedded on a hypertext page provided by a theme

to open a themes home page from a server. The hyperlinks on the folder view

displays jump to themed displays, the hyperlinks being represented by

conventionally selected icons.

On the other hand, Hirose is directed at eliminating icons from being

displayed in a window that represents operations that cannot be performed on a

file dragged in another window. Straub has no concern, let alone any teaching,

concerning performing operations on selected files as described in Hirose, but

instead is concerned with displaying themes downloaded from a server, wherein

in one aspect of Straub, icons may be displayed from a hypertext rendered page

for selecting theme data for download from a remote server. Further, Straub has

no concern or teaching in selecting processes to operate on files as described in

Hirose, but is interested instead in selected icons for downloaded themes.

Hirose on the other hand has no concern or teaching in displaying themed

resources and hyperlinking to themed data stored on remote servers from

displayed theme icons. Applicants submit that there is thus no motivation,

suggestion, or teaching to combine Straub with Hirose. Applicants respectfully

request the Examiner to provide a specific indication in Straub or Hirose, or

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otherwise, of any motivation, suggestion, or teaching to combine Straub with

Hirose.

In sum, Straub and Hirose together or alone do not describe all the

elements recited by Applicants. Moreover, there is no teaching, suggestion, or

motivation described in Straub or Hirose to combine Straub with Hirose. For any

of these reasons, Applicants respectfully submit that claims 42-45 are each

patentable under §103(a). Applicants respectfully request that the §103(a)

rejections of claims 42-45 be withdrawn and claims 42-45 each be allowed.

Claim 56

Applicants point out that the Office Action failed to address Applicants'

position in response to the December 4, 2002 Office Action that Slivka does not

qualify as prior art under 35 USC §103(c). Applicants respectfully submit that

Slivka does not qualify as prior art under 35 USC §103(c) which requires that

subject matter qualifying as prior art under §102(e) shall not preclude

patentability under §103(a) where the subject matter and the claimed invention

were at the time the invention was made, owned or subject to an obligation of

assignment by or to the same entity. (35 USC §103(c), MPEP §706.02(l), MPEP

§706.02(l) (l)(1)). Slivka qualifies as prior art under §102(e) because Slivka has

a U.S. filing date of 12/6/96 and an issue date of 5/9/2000, while the subject

application has a filing date of 2/11/2000. Moreover both Slivka and the subject

application were owned by or subject to an obligation of assignment to the same

entity, Microsoft Corporation, at the time of invention of the claimed subject

matter in the subject application. Applicants have filed a statement with the

Patent Office in conformance with MPEP §706.02(I)(2) as an attachment to the Amendment filed by Applicants in response to the December 4, 2002 Office Action, establishing common ownership or an obligation of assignment to a common party.
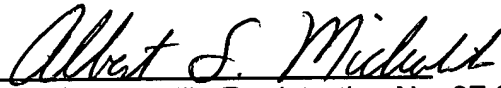
Therefore, Slivka does not qualify as prior art under 35 USC §103(c) and should be removed as a reference. Applicants do not need to further address the Office action's contention as to how claim 56 is unpatentable over Slivka in view of Dickman, but Applicants expressly reserve the right to do so for any such contention properly raised in the future. Therefore, Applicants respectfully submit that claim 56 is patentable under §103(a). Applicants respectfully request that the §103(a) rejections of claim 46 be withdrawn and claim 46 be allowed.

CONCLUSION

In view of the foregoing remarks, it is respectfully submitted that claims 18-50, 52, 56, 59-68, and 72-87 are patentable over the prior art of record, and that the Application is otherwise in good and proper condition for allowance. Withdrawal of the rejections is respectfully requested.

If in the opinion of the Examiner a telephone conference would expedite the prosecution if the subject Application, the Examiner is invited to call the undersigned attorney at 425-836-3030.

Respectfully submitted,

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